

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, FORT WAYNE DIVISION

Beasley Ministries, Inc. et al. v. Stacey O'Day et al.

Beasley Ministries · No. 1:25-cv-00579-HAB-ALT · Decided February 3, 2026

SUMMARY

The court grants Plaintiffs’ motion to amend or correct the complaint under Federal Rule of Civil Procedure 15(a)(2), rejecting Defendants’ argument that amendment would be futile. The court directs the amended complaint to be filed separately, gives Defendants until February 18, 2026, to respond, and denies the pending motion to dismiss as moot.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, Fort Wayne Division
WRITING FOR THE COURT	Andrew L. Teel
JURISDICTION	United States District Court for the Northern District of Indiana, Fort Wayne Division
DECIDED	February 3, 2026
DOCKET	1:25-cv-00579-HAB-ALT
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to dismiss the complaint for failure to state a claim. Plaintiffs then moved for leave to amend the complaint. The court granted leave to amend, directed the amended complaint to be docketed separately, and denied the motion to dismiss as moot.
STANDARD OF REVIEW	A motion for leave to amend under Federal Rule of Civil Procedure 15(a)(2) is committed to the sound discretion of the district court, which should freely grant leave when justice so requires, subject to considerations including undue prejudice, undue delay, bad faith, dilatory motive, or futility.
PRECEDENTIAL VALUE	unpublished district court opinion

TOPICS

- motion to amend
- motions to dismiss
- pleadings
- civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

1. Whether plaintiffs should be granted leave under Federal Rule of Civil Procedure 15(a)(2) to file the proposed amended complaint after the period for amendment as a matter of course had expired.
2. Whether the court should deny leave to amend based on defendants' argument that the proposed amendment would be futile because it did not address all issues raised in the pending motion to dismiss.
3. Whether defendants' pending motion to dismiss should be denied as moot after leave to amend is granted.

HOLDINGS

1. Leave to amend was granted because Rule 15(a)(2) directs that leave should be freely given when justice so requires, and the circumstances did not warrant denial on the grounds presented.
2. The court declined to resolve defendants' futility arguments in opposition to amendment because those arguments were better left for full briefing on a motion to dismiss.

KEY QUOTATIONS

“The Court “should freely give leave [to amend] when justice so requires,” id., and “the decision as to whether to grant a motion to amend a complaint is entrusted to the sound discretion of the trial court,””

*“even if merited, remain better left for full briefing on a motion to dismiss.” (*2)*

FACTUAL BACKGROUND

Defendants challenged the original complaint through a motion to dismiss for failure to state a claim. Plaintiffs sought to amend the complaint after the time to amend as a matter of course had expired. Defendants argued that amendment would be futile because the proposed amended complaint did not resolve all issues identified in the motion to dismiss.

PROCEDURAL HISTORY

Defendants filed a motion to dismiss on December 23, 2025. Plaintiffs did not amend as a matter of course within the applicable deadline and instead filed a motion to amend on January 20, 2026. Defendants opposed amendment on futility grounds, but the court concluded that the arguments were better addressed through a motion to dismiss after amendment. The court granted the motion to amend and denied the pending motion to dismiss as moot.

DISPOSITION

other

CASES CITED

- Cohen v. Ill. Inst. of Tech., 581 F.2d 658, 661 (7th Cir. 1978)
- Sides v. City of Champaign, 496 F.3d 820, 825 (7th Cir. 2007)
- Adams v. N. Ind. Pub. Serv. Co., No. 2:10-CV-469, 2014 WL 4248230, at *2 (N.D. Ind. Aug. 27, 2014)
- Eminger v. City of Kendallville, No. 1:24-cv-00444-HAB-ALT, 2025 WL 3267763, at *2 (N.D. Ind. Nov. 21, 2025)
- Chen v. Yellen, No. 3:20-cv-50458, 2021 WL 5005373, at *3 (N.D. Ill. Oct. 28, 2021)

OPINION

O'Day

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF INDIANA

FORT WAYNE DIVISION

BEASLEY MINISTRIES, INC., et al.,)) Plaintiffs,)) v.) Case No. 1:25-cv-00579-HAB-ALT)
STACEY O'DAY, et al.,)) Defendants.))

OPINION AND ORDER

On December 23, 2025, Defendants filed a motion to dismiss for failure to state a claim. (ECF 7). In response, on January 20, 2026, Plaintiffs filed a motion to amend/correct the complaint. (ECF 11). On January 29, 2026, Defendants filed a response to the motion to amend/correct the complaint arguing that amending would be futile because the amended complaint does not address all the issues raised in the motion to dismiss. (ECF 13). Local Rule 7-1(d)(2) provides that a party must file a response to a motion under Fed. R. Civ. P. 12 within 21 days after the motion is served unless that party is entitled to and first files an amended pleading as a matter of course under Federal Rule of Civil Procedure 15(a)(1). Since Defendants filed their motion to dismiss on December 23, 2025, the deadline for Plaintiffs to respond or file an amended complaint as a matter of right under Federal Rule of Civil Procedure 15(a)(1), was January 13, 2026. (See ECF 7). However, Plaintiffs did not file their amended complaint by that date, so they must seek leave to amend the complaint under Federal Rule of Civil Procedure 15(a)(2). Under Federal Rule of Civil Procedure 15(a)(2), a party must seek the Court's leave or the written consent of the opposing party when the moving party can no longer amend the pleadings as a matter of right. Fed. R. Civ. P. 15(a)(2). The Court "should freely give leave [to amend] when justice so requires," *id.*, and "the decision as to whether to grant a motion to amend a complaint is entrusted to the sound discretion of the trial court," *Cohen v. Ill. Inst. of Tech.*, 581 F.2d 658, 661 (7th Cir. 1978) (citations omitted). "Courts are to use their discretion under Rule 15(a) to liberally grant permission to amend pleadings so long as there is not undue prejudice to the opposing party or undue delay, bad faith[,] or dilatory motive on the part of the movant." *Sides v. City of Champaign*, 496 F.3d 820, 825 (7th Cir. 2007) (citations omitted). However, "[l]eave to amend properly may be denied at the district

court's discretion for...undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc.” *Adams v. N. Ind. Pub. Serv. Co.*, No. 2:10-CV-469, 2014 WL 4248230, at *2 (N.D. Ind. Aug. 27, 2014) (internal quotations omitted) (emphasis added). Defendants object to the motion on the grounds of futility. (ECF 13 ¶ 8). They argue that because the allegations and statements in the amended complaint do not address all the issues raised in the motion to dismiss, Defendants would simply file another motion to dismiss on the same issues. (Id. ¶¶ 8-10). But Defendants also acknowledge that it is the Court's past preference to deal with these legal positions in a motion to dismiss, rather than through a futility argument such as this one. See, e.g., *Eminger v. City of Kendallville*, No. 1:24-cv-00444-HAB-ALT, 2025 WL 3267763, at *2 (N.D. Ind. Nov. 21, 2025) (declining to address defendants' futility argument in a motion to amend complaint, stating that defendants were free to file a dispositive motion to that effect). Indeed, it is this Court's view that Defendants' arguments in opposition to the motion to amend, “even if merited, remain better left for full briefing on a motion to dismiss.” Id. at *2 (collecting cases); see *Chen v. Yellen*, No. 3:20-cv-50458, 2021 WL 5005373, at *3 (N.D. Ill. Oct. 28, 2021) (“[C]ourts around the country have found that futility arguments made in opposition to the filing of an amended [pleading] are often better suited for consideration in the context of a motion to dismiss . . .”). Given that “the [C]ourt should freely give leave when justice so requires” at the Court's discretion, under Rule 15(a)(2), Plaintiffs' motion to amend (ECF 11) is GRANTED. The clerk is directed to show the amended complaint (ECF 11-1) as filed in a separate docket entry. Defendants are afforded to and including February 18, 2026, to answer or otherwise respond to Plaintiffs' amended complaint. Defendants' motion to dismiss (ECF 7) is DENIED as moot. SO ORDERED. Entered this 3rd day of February 2026. /s/ Andrew L. Teel Andrew L. Teel United States Magistrate Judge